



RESOLUTION

ESTABLISHING A COUNCIL POLICY FOR THE PRESERVATION OF AREAS ZONED I-3 WATERFRONT INDUSTRIAL DISTRICT.

WHEREAS, Hawaii, as an island state, is almost totally dependent on maritime activity to supply its needed goods; and

WHEREAS, for example, in 1997, the most recent year for which figures are available, the maritime industry transported more than 97 percent of the cargo tonnage brought into the state, and more than 96 percent of the cargo tonnage delivered between the islands of the state; and

WHEREAS, maritime activity therefore is crucial to the health and survival of Hawaii's economy and way of life; and

WHEREAS, under the City's Land Use Ordinance, maritime uses such as port facilities and wholesale and retail establishments dealing primarily in bulk materials delivered by and to ship are permitted only in those areas zoned as I-3 Waterfront Industrial District; and

WHEREAS, the I-3 Waterfront Industrial District is unique among the various zoning districts because its application is constrained by physical geography. That is, by their nature, maritime uses must be located on or adjacent to waterfront developed for port-related activities; and

WHEREAS, for this reason, only a relatively small amount of land in the City is available for zoning as I-3 Waterfront Industrial District; and

WHEREAS, the Land Use Ordinance provides that

"The intent of the I-3 waterfront industrial district is to set apart and protect areas considered vital to the performance of port functions and to their efficient operation. It is the intent to permit a full range of facilities necessary for successful and efficient performance of port functions. It is intended to exclude uses which are not only inappropriate but which could locate elsewhere."



RESOLUTION

Sec. 21-3.130(f), Revised Ordinances of Honolulu 1990, as amended (ROH) (emphasis added); and

WHEREAS, based on the foregoing, any proposal to remove land from I-3 Waterfront Industrial District zoning should be viewed with extreme caution; and

WHEREAS, the Council recently considered two bills to rezone certain parcels of land from I-3 Waterfront Industrial District to I-2 Intensive Industrial District in order to permit the development of retail automobile dealerships thereon; and

WHEREAS, one of the bills was strongly opposed by the State Department of Transportation, Harbors Division, and representatives of the maritime industry on the ground that the parcel was necessary to accommodate future expansion of an interisland maritime cargo terminal; and

WHEREAS, the Council finds that it should establish a policy for its consideration of bills proposing rezoning of land zoned I-3 Waterfront Industrial District in order to prevent the unnecessary loss of lands that should remain available for critical maritime activity; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Council hereby establishes the following policy for its consideration of bills proposing the rezoning of land zoned I-3 Waterfront Industrial District:

1. Any land that: (a) is in maritime use, or (b) is recommended by the State Department of Transportation, Harbors Division, to remain in I-3 zoning because of the current or projected need for maritime use of the land, shall be maintained in the I-3 Waterfront Industrial District, unless the Council finds that there is a compelling reason for the rezoning.



RESOLUTION

2. As used herein, the term "maritime use" means a development or use permitted in the I-3 Waterfront Industrial District, relating to port functions, and requiring a site on, or adjacent to, the ocean.
3. As used herein, "compelling reason" means any of the following:
 - a. Maintenance of the land in the I-3 Waterfront Industrial District will deny the landowner any economically viable use of the land;
 - b. The rezoning is necessary to conform the zoning of the land to the General Plan of the City and the applicable Development Plan; or
 - c. Any other compelling reason relating to the public welfare, as determined by the Council; and

RESOLUTION

BE IT FINALLY RESOLVED that the Clerk is directed to transmit copies of this resolution to the Mayor, the City Director of Planning and Permitting, and the State Director of Transportation.

INTRODUCED BY:

Pene Mansho (BR)

Councilmembers

DATE OF INTRODUCTION:

MAR 13 2000

Honolulu, Hawaii

(OCS/030200/mg)

- 4 -

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

I hereby certify that the foregoing RESOLUTION was adopted by the COUNCIL OF THE CITY AND COUNTY OF HONOLULU on the date and by the vote indicated to the right.

ATTEST:

Genevieve G. Wong
GENEVIEVE G. WONG
City Clerk

Jon C. Yoshimura
JON C. YOSHIMURA
CHAIR AND PRESIDING OFFICER

Dated 4/26/00

ADOPTED MEETING HELD			
4/26/00			
	AYE	NO	A/E
BAINUM	X		
DeSOTO	X		
FELIX	X		
HANNEMANN	X		
HOLMES	X		
KIM	X		
MANSHO	X		
MIRIKITANI	X		
YOSHIMURA	X		
	9	0	0

Reference:

Report No. Z-158

Resolution No.

00-48